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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,474	08/07/2003	Alejandro Wiechers	200207421-1	1091

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HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

RODRIGUEZ, LENNIN R

ART UNIT	PAPER NUMBER
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2625

MAIL DATE	DELIVERY MODE
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07/10/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/635,474

Applicant(s)

WIECHERS ET AL.

Examiner

Lennin R. Rodriguez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/07/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The Other Documents section in the information disclosure statement filed 8/07/2003 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the articles provided does not contain or have an accessible way to determined the articles' date. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Claim Objections

2. Claims 6, 8, 16 and 18 are objected to because of the following informalities:

- (1) claim 6, line 3, "**provide** location" should be – **provider** location --;
- (2) claim 8, line 2, "comprises a performing" should be – comprises performing --;
- (3) claim 16, line 2, "**provide** location" should be – **provider** location --;
- (4) claim 18, line 1, "comprises a performing" should be –comprises performing--.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 11-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. A "program product" is being recited; however a "program product" as presented in the claims is directed to software per se. This subject matter is not limited to that which falls within a statutory category of invention because it is limited to a process, machine, manufacture, or a composition of matter. Software is a function descriptive material and a function descriptive material is non-statutory subject matter. Examiner suggest changing it to – program product stored in a computer readable medium --.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-8, 11-18 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Roztocil et al. (US Publication 2001/0044868).

(1) regarding claim 1:

Roztocil '868 discloses a method of managing workflow in a commercial printing environment including a designer location (Fig. 1, print shop client) and a print service provider location (Fig. 1, print shop), said method comprising:

establishing a closed-loop communication link (paragraph [0022], lines 12-13, where the closed-loop communication is the network) between the designer location and the print service provider location (paragraph [0022], lines 1-13, where the communication is being established between the print shop client and the print shop);

creating a press ready file at the designer location using updated device configuration information (paragraph [0022], lines 8-13, where a job made by the customer is being interpreted as the print ready file using device configuration information (the device configuration information at some point in time has to be updated into the system)) received from the print service provider location via said closed-loop communication link (paragraph [0022], lines 12-13, where the internet is used as the network to establish communication between the service provider and the designer);

submitting said press ready file to the print service provider location via said closed-loop communication link (paragraph [0022], lines 8-13); and

performing at least one of automated printing, finishing (paragraph [0045], lines 1-6), packaging and shipping using said press ready file.

(2) regarding claim 11:

Roztocil '868 further discloses a program product for managing workflow in a commercial printing environment (paragraph [0036], lines 1-4) including a designer

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location (Fig. 1, print shop client) and a print service provider location (Fig. 1, print shop), said product comprising machine-readable program code for causing, when executed, a machine to perform the following method steps:

establishing a closed-loop communication link (paragraph [0022], lines 12-13, where the closed-loop communication is the network) between the designer location and the print service provider location (paragraph [0022], lines 1-13, where the communication is being established between the print shop client and the print shop);

creating a press ready file at the designer location using updated device configuration information (paragraph [0022], lines 8-13, where a job made by the customer is being interpreted as the print ready file using device configuration information (the device configuration information at some point in time has to be updated into the system)) received from the print service provider location via said closed-loop communication link (paragraph [0022], lines 12-13, where the internet is used as the network to establish communication between the service provider and the designer);

submitting said press ready file to the print service provider location via said closed-loop communication link (paragraph [0022], lines 8-13); and

performing at least one of automated printing, finishing (paragraph [0045], lines 1-6), packaging and shipping using said press ready file.

(3) regarding claims 2 and 12:

Roztocil '868 further discloses a step of displaying a production status of said press ready file, said production status indicating at least a current task being performed

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with said press ready file (paragraph [0047], lines 13-16, where there are tools for monitoring multiple production output devices and provide visual feedback of these devices).

(4) regarding claims 3 and 13:

Roztocil '868 further discloses said production status further indicating what tasks in the workflow have been completed for said press ready file (paragraph [0047], lines 13-16, where there are tools for monitoring multiple production output devices and provide visual feedback of these devices status).

(5) regarding claims 4 and 14:

Roztocil '868 further discloses said production status being updated at a plurality of stages of the workflow (paragraph [0047], lines 10-16, where there are tools for monitoring multiple production output devices and provide visual feedback of these devices status and since it provides current information to the user it implies that its been update).

(6) regarding claims 5 and 15:

Roztocil '868 further discloses wherein said production status is displayed at the designer location via said closed-loop communication link (paragraph [0047], lines 10-16, where there are tools for monitoring multiple production output devices and provide visual feedback of these devices status, this via the communication network (paragraph [0022], lines 12-13)).

(7) regarding claims 6 and 16:

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Roztocil '868 further discloses wherein said production status is displayed at the print service provider location via said closed-loop communication link (paragraph [0049], lines 9-16, where the display device shows status information about the output device to the operator console, which is in the print shop side).

(8) regarding claims 7 and 17:

Roztocil '868 further discloses wherein a job ticket for said press ready file is automatically updated upon completion of tasks in the workflow via said closed-loop communication link (paragraph [0044], lines 19-29, where the job ticket is been updated at the same time information in the compound documents is been updated, this via the communication network (paragraph [0022], lines 12-13)).

(9) regarding claims 8 and 18:

Roztocil '868 further discloses performing automated job closing based upon information in said updated job ticket upon completion of production of said press ready file (paragraph [0041], where Having libraries to facilitate updates and reprints is the definition used in the applicant's disclosure to refer to "closing").

(10) regarding claim 21:

Roztocil '868 further discloses a system for managing workflow in a commercial printing environment including a designer location (Fig. 1, print shop client) and a print service provider location (Fig. 1, print shop), said system comprising:

means for establishing a closed-loop communication link (paragraph [0022], lines 12-13, where the closed-loop communication is the network) between the designer

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location the said print service provider location (paragraph [0022], lines 1-13, where the communication is being established between the print shop client and the print shop);

means for creating a press ready file at the designer location using updated device configuration information (paragraph [0022], lines 8-13, where a job made by the customer is being interpreted as the print ready file using device configuration information (the device configuration information at some point in time has to be updated into the system)) received from the print service provider location via said closed-loop communication link (paragraph [0022], lines 12-13, where the internet is used as the network to establish communication between the service provider and the designer);

means for submitting said press ready file to the print service provider location via said closed-loop communication link (paragraph [0022], lines 8-13); and

means for performing at least one of automated printing, finishing (paragraph [0045], lines 1-6), packaging and shipping using said press ready file.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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8. Claims 9 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roztocil et al. (US Publication 2001/0044868) as applied to claims 1 and 11 above, and further in view of Kemp et al. (US Publication 2002/0078160).

Roztocil '868 discloses all the subject matter as described above except wherein establishing a closed-loop communication link further comprises allowing a user at the designer location to select said print service provider location from among a plurality of print service provider locations and corresponding information on production capabilities.

However, Kemp '160 teaches wherein establishing a closed-loop communication link further comprises allowing a user at the designer location to select said print service provider location from among a plurality of print service provider locations and corresponding information on production capabilities (paragraph [0021], [0022] and [0023]).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to establish a closed-loop communication link further comprises allowing a user at the designer location to select said print service provider location from among a plurality of print service provider locations and corresponding information on production capabilities as taught by Kemp '160, in the system of Roztocil '868. In doing this, the user has a wide variety of selections to choose from, thus making the system user-friendlier.

9. Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roztocil et al. (US Publication 2001/0044868) as applied to claims 1 and 11 above, and further in view of Stewart et al. (US Patent 6,714,964).

Roztocil '868 discloses all the subject matter as described above except performing automated tracking of said press ready file through the workflow from the designer location through the print service provider location.

However, Stewart '964 teaches performing automated tracking of said press ready file through the workflow from the designer location through the print service provider location (Fig. 6, customer service, and column 4, lines 66-67 and column 5, lines 1-3).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to perform automated tracking of said press ready file through the workflow from the designer location through the print service provider location as taught by Stewart '964, in the system of Roztocil '868. With this the user is not subject to waiting in line while copy center personnel handle other people job as disclose in Stewart '964 column 4, lines 66-67.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lennin R. Rodriguez whose telephone number is (571) 270-1678. The examiner can normally be reached on Monday - Friday 7:30am - 5:00pm EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571)272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lennin Rodriguez
6/26/07



KING Y. POON
PRIMARY EXAMINER
Supervisory Patent